

### **REMARKS**

This responds to the Office Action mailed on November 13, 2006.

Claims 11 and 17 are amended and no claims are canceled or added; as a result, claims 1-20 remain pending in this application.

#### **Claim Objections**

Claims 11 and 17 were objected to for informalities. Applicant has amended claims 7 and 17 as suggested in the Office Action such that “gaming network” now reads “gaming network system.” In view of the amendments, Applicant respectfully requests removal of the objection to claims 11 and 17.

#### **Drawing Objections**

The Drawings were objected to for informalities. Figure 3 has been amended to include reference numbers 330, 332 and 334 corresponding to “publish”, “discover (find)” and “interact” operations. Support for the amendments may be found throughout the specification and in particular on page 14, line 9.

Figure 5 has been amended such that reference number 10 is now used to refer to the gaming machine.

In view of the amendments to the drawings, Applicant respectfully requests removal of the objection to the drawings.

#### **Disclosure Objections**

The disclosure was objected to because various informalities regarding reference numbers. Applicant has amended the specification to address the informalities noted in the Office Action. Applicant respectfully requests removal of the objection to the specification.

§112 Rejection of the Claims

Claims 7 and 17 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. Applicant respectfully traverses these grounds for rejection. As described in MPEP § 2164 et seq., the following represents the *prima facie* case that the Office Action must provide in order to maintain a rejection of nonenablement with respect to the disclosure of a patent application under 35 U.S.C. § 112, first paragraph:

1. a rational basis as to
  - a. why the disclosure does not teach, or
  - b. why to doubt the objective truth of the statements in the disclosure that purport to teach;
2. the manner and process of making and using the invention;
3. that correspond in scope to the claimed invention;
4. to one of ordinary skill in the pertinent technology;
5. without undue experimentation; and
6. dealing with subject matter that would not already be known to the skilled person as of the filing date of the application.

Because the Office Action has not provided evidence supporting each of these elements, the Office Action has not made out a *prima facie* case for nonenablement under 35 U.S.C. § 112, first paragraph.

Further, Applicant respectfully submits that the specification does provide enablement commensurate with the scope of claims 7 and 17. Applicant notes that the specification, at page 11, lines 3-20 makes clear that that service provider and service requestor are roles in a client/server environment that may be taken by various applications in a gaming network. Thus a service provider may take on a role as a client with respect to another service provider. In the example provided in the specification, an accounting service may be a service requestor (e.g. a client) with respect to another service. In other words, an application that acts as a server to one application may also act as a client to another application. As a result, the specification enables a person of ordinary skill in the art to make and use the invention commensurate with the scope of claims 7 and 17. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 7 and 17.

§102 Rejection of the Claims

Claims 1-20 were rejected under 35 U.S.C. § 102(e) for anticipation by Gatto et al. (U.S. 6,916,247). Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Applicant respectfully submits that Gatto does not anticipate claims 1-20, because the claims contain elements not found in Gatto.

For example, claim 1 recites “publishing an availability of the event management service on the gaming network” and further recites “receiving a discovery request for the event management service.” Claim 11 recites similar language. The Office Action states that Gatto, in Figs. 19-20; at column 13, lines 64-67; and at column 14, lines 2-5 and 18-20 teaches the recited language. Applicant respectfully disagrees with this interpretation of Gatto. Applicant notes that the process described in Gatto is in fact opposite to the method of Applicant’s claims. In Gatto, the specialized device broadcasts its availability and a service registers with the device, specifying the events the service is interested in (see Gatto at column 14, lines 17-20). This is in contrast to Applicant’s claims 1 and 11, where the event management service publishes its availability and clients can discover and register with the service to then send events to the event management service.

As a result, Gatto does not teach or suggest each and every element of Applicant’s claims 1 and 11. Therefore Gatto does not anticipate claims 1 and 11. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1 and 11.

Claims 2-10 depend either directly or indirectly from claim 1, and claims 12-20 depend either directly or indirectly from claim 11. These dependent claims inherit the elements of their respective base claims and are therefore not anticipated by Gatto for at least the same reasons as

discussed above with regarding their respective base claims 1 and 11. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1 and 11.

Additionally, claim 9 recites “storing the event in a persistent storage.” Claim 19 recites similar language. The Office Action asserts that Gatto, at column 10, lines 13-20 teaches the recited language. Applicant respectfully disagrees with this interpretation of Gatto. The cited section of Gatto makes clear that it is an Audit Engine 832 residing on a gaming machine that is storing the events. Thus rather than providing a centralized storage by an event management service as recited in Applicant’s claims, the events are stored at the gaming machine. As a result, Gatto does not teach that a service request includes storing the event in a persistent storage by the event management service. Thus, Gatto does not anticipate claims 9 and 19. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 9 and 19.

Further, claim 10 recites that a “service request comprises a request by the gaming client to query the event management service for an event.” Claim 20 recites similar language. The Office Action asserts that Gatto, at column 10, lines 13-20 teaches the recited language. Applicant respectfully disagrees with this interpretation of Gatto. In Gatto, the events are stored at the gaming machine, not by a centralized event management service. Thus the service request is not handled by an event management service in Gatto. As a result, Gatto does not anticipate claims 10 and 20. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 10 and 20.

### **Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant’s silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference.

Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

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By 

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of February 2007.

Rodney L. Lacy

Name



Signature